

The prescription is a tool for supervision and control of the turnover of reimbursed drugs - legal regulations

(Recepta jest narzędziem nadzoru i kontroli obrotu lekami refundowanymi – regulacje prawne)

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Abstract – The concept and types of prescriptions were discussed in the light of existing legal regulations. Attention is paid to the unified appearance and form of prescriptions. The classic formula of the prescription and the prescriptions given for the Rpw abbreviation were discussed. The elements of the medical prescription were characterized.

Key words - prescription, legal regulations, elements of a medical prescription.

Streszczenie – Omówiono pojęcie i rodzaje recept w świetle istniejących regulacji prawnych. Zwrócono uwagę na ujednolicony wygląd i formę recept. Omówiono klasyczny wzór recepty oraz recept określonych skrótem Rpw. Scharakteryzowano elementy recepty lekarskiej.

Słowa kluczowe - recepta, uregulowania prawne, elementy recepty lekarskiej.

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I. INTRODUCTION

The processes of computerization concern every sphere of human life. They occur at home, at work and in health care. One of the proposals aimed at improving the functioning in the complex world of health protection is to replace the traditional paper recipe, its electronic equivalent. The date of transition from the traditional form of the electronic prescription was moved. However, this is an unavoidable process, whether they are confirmed by the latest statements of the Ministry of Health. However, you must prepare for the process. The lack of proper legal regulations and the vision of the e-prescription action are some of the reasons for this slow change. Therefore, in this article series an attempt was made to interpret the existing and proposed regulations related to the introduction of the e-prescription and to create a possible flow scheme. A prescription is a surveillance tool that allows you to control the turnover of reimbursed drugs in Poland. The introduction of the e-prescription will be a great facilitation for all

participants of health care. It will allow you to eliminate the problem of illegibility of prescriptions, save time, and increase the safety of patients, doctors and pharmacists.

II. RECIPE - CONCEPT AND TYPES IN THE LIGHT OF REGULATION

The introduction of the first prescriptions in the thirteenth century led to the unambiguous separation of the professions of the doctor and pharmacist. For the pharmacist, a prescription is a written instruction of the appropriate procedure and giving the patient a ready-made or prescription medicine, prepared in accordance with the applicable rules [1]. In Poland, the rules related to the issue and implementation of prescriptions are placed not only in the Pharmaceutical Law Act (Journal of Laws of 2008 No. 45, item 271, as amended), but also in the Act on the professions of a doctor and a dentist (Journal of Laws of 2011 No. 277, item 1634), in the Act on healthcare services financed from public funds (Journal of Laws of 2008 No. 164, item 1027, as amended) and in Act on reimbursement of medicines, foodstuffs for particular nutritional purposes and medical devices from May 12, 2011 (Journal of Laws of 2011, No. 122, item 696), as amended (Act of January 13, 2012, Journal of Laws 2012, item 95), as well as in the Ordinance of the Minister of Health of 8 March 2012 on medical prescriptions and the Act of 1 March 2018 on amending certain acts in connection with the introduction of an e-prescription. [2]

According to the definition on the website of the Ministry of Health, a prescription is a written record from a pharmacist's physician regarding medicines that have been prescribed to the patient during treatment. It is entitled to a health insurance physician or doctor who has signed a contract with the National Health Fund [3]. A prescription is a kind of recommendation from a pharmacist's doctor regarding the preparation, labeling and dispensing of medicines. The prescription must meet all formal requirements, because in addition to the aforementioned function - it is also a document that forms the basis for settlements between the pharmacy and the National Health Fund [4]. In generally accessible pharmacies, medicines are issued under three categories of availability: prescription, over-the-counter and within the demand of authorized organizational units or natural persons who are entitled under other regulations [5]. On the basis of the Ordinance of the Minister of Health of 9 May 2003 on the issue by veterinarians of prescriptions for medicinal products or prescription drugs intended for people that will be used in animals - the

right to issue a prescription also has a veterinarian. The doctor should write out medicines for a sick animal on the correct prescription print [6]. In addition to the commonly used medical prescription, there is also another form, which is a pharmaceutical prescription. The Pharmaceutical Law Act states that in the event of a sudden threat to the life or health of the patient, the pharmacist may dispense the medicine without the prescription prescribed in the smallest dose and in the smallest package. This can not be done in the case of narcotic drugs, psychotropic substances and precursors of the I-R group. To exhibit the above recipes in accordance with art. 96 of the Pharmaceutical Law, the manager of the pharmacy is entitled or, in the moment of his absence, the master's manager. Each discharge of a pharmaceutical prescription must have a foundation and be properly motivated. The fact of writing out the prescription must be recorded. The prescription should include: the name of the drug / medical device, the dose, the cause of the drug release, personal data of the patient, the date of the prescription and the signature and stamp of the pharmacist authorized to issue the document. The medicine or medical device on the prescription written by the pharmacist is subject to 100% payment, even if it is a medicine refunded by the National Health Fund. The amount of the prescribed medicine can not be greater than the smallest registered pack. . Pharmaceutical law assumes the obligation to record these prescriptions [5].

Dispensing medicine on the basis of a pharmaceutical prescription is very risky and involves great responsibility. The pharmacist does not always know the patient and his history, he does not know what he is still ill and what other medications he is taking. This information is extremely important because interactions may occur between drugs, the effects of which can be dangerous for the patient. Therefore, the issue of such a prescription is based only on the experience of a pharmacy employee. The possibility of issuing a pharmaceutical prescription is a response to the need to save health and life in an emergency. Unfortunately, this convenience is also associated with the risk of abuse by dishonest patients [7]. The entire liability for the prescribed medicine then lies with the pharmacist.

III. ELEMENTS FOR MEDICAL PRESCRIPTION

Prescriptions issued by doctors have a unified appearance and form. Everyone uses the same prescriptions, the content of which can be entered manually or using a computer. The rules related to the issuing of prescriptions are regulated in the Ordinance of the Minister of Health of 8

March 2012 regarding medical prescriptions. [8]A medical prescription issued for medicines covered by a refund has a form that allows it to be processed using a computer. Thanks to this, it is possible to analyze the patient's rights and data related to the person who issues and executes the prescription [4].Currently, there are two types of prescription forms on which reimbursed drugs can be prescribed. They include [3]:

- classic prescription formula defined in the MZ ordinance of 8 March 2012 on medical prescriptions, which is the most commonly used version of the prescription, which is used to prescribe all types of reimbursed and non-refunded drugs, ready-made and prescription drugs. Only drugs with the abbreviation "Rpw" are subject to exclusion, which is prescribed on another form,
- "Rpw" recipe is a prescription in white color, where there are narcotic drugs, psychotropic substances or other drugs that have been marked with the abbreviation "Rpw". These forms are strictly accountable. The ranges of numbers of these prescriptions are issued by the Provincial Department of the NHF or by the Provincial Pharmaceutical Inspector in a situation where the doctor does not have a contract signed with the NFZ.

Each prescription consists of four basic parts, which include: an area containing information about the subject authorized to issue a prescription, area containing patient data, a part concerning prescribed medicines or medical devices and an area informing about the person who issued the prescription. On the other hand, the second page of the prescription is empty, so that the pharmacy can place there appropriate information about the medicines and medical devices issued. The recipe must not contain advertising or non-prescription items [4]. According to the Regulation of the Minister of Health on medical prescriptions, prescriptions for reimbursed medicines must have all the above-mentioned areas filled in, including details of: healthcare provider, patient, NHF branch, additional rights, remuneration, data and doctor's signature, prescribed medicines or medical devices and data of the printing entity. The above regulation also provides that this information may be presented in such a way that it can be read automatically. In this way, the legislator provided for the possibility of introducing a new solution, which is an e-prescription, but without its full implementation. Full implementation means independent functioning of the e-prescription, without additional forms, and currently it is not yet possible [8]. The

description of the functions of individual elements is given in Table 1.

Table 1. Elements of the medical prescription [developed on the basis of 2.7]

FEATURE	FUNCTION
Health care provider	Information on the person entitled to issue a prescription
Patient	Data enabling identification of the patient
NFZ Branch	Information that allows identification of a Provincial Department of the NFZ or an institution appropriate for a patient when it benefits from the provisions on coordination
Additional entitlements	Contains the codes on the basis of which the patient is entitled to additional concessions
Fee	Specifies the amount of payment for prescribed medicines, medical devices or special nutritional purposes
Data and doctor's signature	Includes the name of the doctor and the number of the right to practice the profession
Data of the printing entity	Information about who printed the prescription
Barcodes	Identify the unique prescription number, profession number and REGON number of the service provider or person entitled
ADDITIONAL ELEMENTS	
FEATURE	FUNCTION
Urgent implementation of "Cito	It informs that the recipe must be completed as soon as possible
The "do not change" or "NZ" annotation.	It informs about the necessity to issue a drug ordered in accordance with the prescription

The Beneficiary must include the details of the person entitled or the service provider whose person is authorized to issue a prescription [8].In the Patient section there is information identifying the patient. The prescription must bear the name and surname of the patient, his address - including the name of the place, street, house number and apartment, if it has been given. In the case of patients up to 18 years of age, where the PESEL number can not say how old he is, it is necessary to indicate his age as well. If the patient uses the services under the coordination provisions, one must enter the number of the certificate or the number of the document which entitles to benefit from the benefits. On the prescription, if applicable, there should also be a PESEL number. In the case of foreigners who are not entitled to benefit from benefits under the provisions on coordination, the passport or other document with the photo of the patient must be on the prescription [8].In the Recipe section, in addition to information about prescribed medicines, foodstuffs for particular nutritional uses or medical devices, there must also be a unique number that identifies the prescription. It is broadcast by the Voivodship Branch of the Fund [8]. A single prescription may contain a maximum of five medications or medical devices. The exception is a prescription with the designation "Rpw" or other,

where a drug containing a narcotic drug or a psychotropic substance has been prescribed. One preparation that contains a psychotropic substance can be prescribed for one prescription "Rpw". No other medicines or medical devices may be on it. In addition, the amount of intoxicant must be written in words to avoid confusion. [3]. It is also worth noting that each recipe has an expiration date. This is 30 days from the date of issue, or 30 days from the date indicated by the doctor. There are, however, some exceptions to this rule - they include prescriptions issued on [9]:

- antibiotics - expiry date: 7 days after the prescription,
- immunological preparations, created for a specific patient - expiry date: 90 days from
- the date of the prescription,
- medicines and means for special nutrition, which must be brought to the patient from
- abroad - expiry date: 120 days from the date of the prescription.

The NFZ Branch section must contain the identifier of the voivodeship branch, appropriate for the patient's insurance location. If the patient does not have a document confirming the right to health care services or if the patient is not entitled, then the "X" sign is placed here. However, when the patient uses healthcare services under the provisions on coordination, then the institution's symbol should be put in place for the authorized person, eg Austria - AT symbol, Greece GR [8].

In the Additional entitlements section there is an entitlement code, on the basis of which the patient is entitled to receive medicines with a discount or free of charge. Annex No. 1 of the above-mentioned MZ Regulation on medical prescriptions includes access codes. There are currently 9 of them and each consists of two capital letters [7].

The part of the Payment refers to the amount of payment for the prescribed drug, medical device or means of special nutrition. It can be described by letters or numbers. If the prescribed medicine, a medical device or a special nutritional purpose is on the list of reimbursed drugs and has only one payment, the person entitled to issue a prescription does not enter this fee. However, in the case when there are several payments, then the person issuing the prescription can enter it in three ways, depending on the circumstances. And yes, the letter P - means the lowest possible remuneration. There is no fee, when it is to be the highest, according to the list, or another payment is entered, if you can not apply any of the above. możliwości. capabilities. In a situation where a medicine, a medical device or a special nutritional purpose is prescribed without the possibility of a refund, then the person issuing the pre-

scription enters the X mark in place of the Payment . Additionally, you can also use the determination of payment by means of other letter and number symbols. For example, entering the letter B means that prescribed medications are available to the patient free of charge, and the letter R indicates that the medicines will be issued for a lump sum payment. Entry in the place The payment of 30% or 50% is equivalent to the patient receiving prescribed medicines, medical devices or special dietary products for 30 or 50% funding limit. 100% means that the drugs are fully paid, i.e. they are not entitled to any discount [8].

The Data section and doctor's signature must contain the name and surname of the person entitled to issue a prescription and the number of the right to practice the profession in the form of a bar code. [8]

The Data of the printing entity must contain information about who printed the prescription. If it is an external company - name and address or REGON number. However, if the service provider itself printed it, then in this place, there must be an additional printout [7]. Before printing, apply to the Fund for the allocation of a range of numbers that will serve as prescription numbers [4].

In addition, each prescription has a bar code, which allows you to easily and easily read the unique prescription number, as well as the number of the profession and PESEL number - these three codes must be placed in the right places on the prescription [8]. In addition, additional information can also be found on the prescription. The word "Cito", which says that the prescription should be implemented as soon as possible and / or "not change" (NZ), which is tantamount to the need to dispense the drug, foodstuff for particular nutritional purposes or medical device, which was ordered by a doctor [8].

Currently, according to the Regulation of the Minister of Health of 8 March 2012 on medical prescriptions, the doctor may prescribe medication on the prescription using the international, commercial, chemical name and name of the active substance, written in Polish, English or Latin [8].

If, however, the prescription contains only non-refundable medicines, they can be unsubscribed on whatever form. However, it can also take place on a classic prescription, then the doctor does not have to fill in all the previously mentioned items [8]. In this case, the prescription must contain only [8] :

- details of the person authorized to issue a prescription,
- patient data, including: name and surname, address of residence and age,
- the date of the prescription,

- the date of the prescription or if it does not apply, then the sign "X",
- data on prescribed medicines, including information on: the name of the drug, the foodstuff for particular nutritional purposes or the medical device and the form, dose and amount of the drug, foodstuff for particular nutritional use or medical device, as well as the method of dosing.

If, however, the prescription contains full-paid drugs containing narcotic drugs or psychotropic substances, then, nevertheless, they must be prescribed on the prescription formula " Rpw ". In addition, the non-reimbursed prescription may also contain the information "Cito", "do not exchange" or "NZ" [7].

As you can see, issuing a prescription is not only limited to prescribing medicines, but also involves the need to supplement many additional headings. It all makes its writing time-consuming. An unquestionable facilitation for those entitled to issue them was the introduction of programs with the help of which it is possible to generate an already completed prescription, which the care provider must only stamp with a signature and a signature. Going further, the process of computerization in health care proposes replacing the paper prescription with its electronic equivalent. It seems that this solution will be even more convenient for both doctors and pharmacists, but also for patients. On the one hand, the doctor will save time on writing out several prescriptions at once, and the minutes thus gained will be available for contact with the patient. On the other hand, the recipient will not have to worry about losing a prescription or something that will happen to them. This process, however, must be fully thought out, so that there is no conflict at any stage of the prescription.

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